

REMARKS

Claims 1-5, 7-12, 14-19 and 21-26 are pending. By this response, claims 1, 8, and 15 are amended and claims 6, 13 and 20 are cancelled. Reconsideration and allowance based on the above amendments and following remarks are respectively requested. No new matter has been added.

Applicants note that this Supplemental Amendment is being filed to correct minor changes to the independent claims. The allowance of these claims should not be hindered by these amendments. Accordingly the application should still be in condition for allowance. The remarks filed in the previous response dated October 27, 2006 are recreated below for the convenience of the Examiner.

Allowable Subject Matter

Applicants appreciate the indication that claims 6-7, 13-14 and 20 contain allowable subject matter and would be allowable if incorporated into independent form and claim limitations of its base claim and intervening claims.

Applicants note that independent claims 1, 8 and 15 have been amended to include allowable subject matter of their respective dependent claims 6, 13 and 20. Therefore, independent claims 1, 8 and 15 are now in condition for allowance.

Prior Art Rejection

The Office Action rejects claims 1-5, 8-12, 15-19 and 21-23 under 35 U.S.C. § 102(e) as being anticipated by Hashimoto (U.S. 6,704,054). This rejection is respectfully traversed.

As indicated above, independent claims 1, 8 and 15 have been amended to include features of allowable dependent claims. Accordingly, independent claims 1, 8 and 15 are in condition for allowance. Each of their respective dependent claims are also now in condition for allowance. Therefore, the above-noted rejection is now moot. Accordingly, withdrawal of the rejection is respectfully requested.

Added Dependent Claims 24-26

Applicants note that dependent claims 24-26 have been added to define the method of determination of an in-focus position recited in dependent claims 4, 11 and 18. As these claims are dependent upon dependent claims and the independent claims are in condition for allowance, the addition of these claims should not disrupt the allowability of the application.

CONCLUSION

For the above reasons, Applicants submit that the application is now in condition for allowance. Prompt allowance is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings Reg. No. 48,917 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

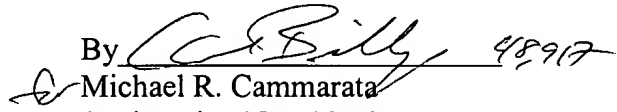
Application No. 09/737,968
Supplemental Amendment dated December 7, 2006
After Final Office Action of July 27, 2006

Docket No.: 1982-0161P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: December 7, 2006

Respectfully submitted,

By  48917
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